

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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TYSON YELLOWBEAR,
Petitioner,

v.

WARDEN CHESTNUT/USMS,
Respondents.

Case No. 2:24-cv-02301-RFB-DJA

DISMISSAL ORDER

On December 11, 2024, Petitioner Tyson Yellowbear commenced this action by filing a Petition for a Writ of Habeas Corpus. ECF No. 1-1. On January 3, 2025, this Court ordered Yellowbear to file an application for leave to proceed in forma pauperis or pay the \$5.00 filing fee. ECF No. 3. This Court also ordered Yellowbear to file an amended petition on the appropriate form. This Court gave Yellowbear 45 days to comply with these requirements and warned Yellowbear that failure to timely comply would result in the dismissal of this action without prejudice and without further advance notice. Yellowbear's 45-day deadline expired on February 20, 2025. To date, Yellowbear has not filed an in forma pauperis application, paid the \$5 filing fee, filed an amended petition, requested an extension of time, or taken any other action to prosecute this case.

IT IS THEREFORE ORDERED that Petitioner Tyson Yellowbear's Petition for Writ of Habeas Corpus (ECF No. 1-1) is **DISMISSED WITHOUT PREJUDICE** based on his failure to comply with this Court's January 3, 2025, Order (ECF No. 3). Yellowbear is denied a certificate of appealability, as jurists of reason would not find dismissal of the petition for the reasons stated herein to be debatable or wrong.

IT IS FURTHER ORDERED that the Clerk of Court kindly (1) file the petition (ECF

1 No. 1-1), (2) add Nevada Attorney General Aaron D. Ford as counsel for Respondents,¹ (3)
2 informally serve the Nevada Attorney General with the petition (ECF No. 1-1), this order, and all
3 other filings in this matter by sending a notice of electronic filing to the Nevada Attorney General's
4 office, (4) enter final judgment, and (5) close this case.

5 **IT IS FURTHER ORDERED** that Yellowbear has leave from the Court to file a motion
6 for reconsideration to reopen this case based upon the assertion of legitimate or equitable reasons
7 for failing to comply with the Court's order.

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9 **DATED:** April 9, 2025

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13 **RICHARD F. BOULWARE, II**
14 **UNITED STATES DISTRICT JUDGE**

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¹No response is required from Respondents other than to respond to any orders of a reviewing court.